

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

ROBERT C. SEDLMAYR

Plaintiff,

v.

MORTGAGE LENDERS NETWORK USA,  
INC.; et al.,

Defendants.

3:10-cv-0204-LRH-VPC

ORDER

Before the court is District Judge for the District of Arizona James A. Teilborg's ("Teilborg") order of remand filed on March 21, 2011. Doc. #34.<sup>1</sup>

In 2009, the United States Judicial Panel on Multi-District Litigation ("panel") consolidated numerous cases in which plaintiffs allege that MERS engaged in improper business practices when processing home loans. The panel assigned Judge Teilborg to oversee these cases, and he will preside over all issues (discovery, dispositive motions, settlement) except for trials. *In re: Mortgage Electronic Registration Systems (MERS) Litigation*, MDL No. 2119.

In various transfer orders the Panel consolidated several cases, one of which is the current matter *Sedlmayr v. Mortgage Lenders Network USA, Inc.*, 3:10-cv-0204-LRH-VPC. However, as part of the transfer order, the Panel transferred only those claims that "relate to the formation and/or

<sup>1</sup> Refers to the court's docket entry number.

1 operation of MERS.” The Panel held that all other claims “unrelated to the formation and/or  
2 operation of the MERS system are separately and simultaneously remanded” to the district court in  
3 which they were first brought. Thereafter, on July 7, 2010, the court stayed the proceedings pending  
4 Judge Teilborg’s order parsing the claims and remanding the unrelated defendants and claims back  
5 to this court. Doc. #28.

6 On March 21, 2011, Judge Teilborg issued an initial remand order. Doc. #34. Pursuant to  
7 that order Judge Teilborg remanded: (1) claim 1 for violation of unfair lending practices,  
8 NRS 598D.100; (2) claim 10 for civil conspiracy as it relates to other remanded claims; (3) claim  
9 11 for racketeering activity in violation of Nevada law as it relates to other remanded claims;  
10 (4) claim 12 for unjust enrichment; (5) claim 3 for injunctive relief as it relates to the remanded  
11 claims; and (6) claim 4 for declaratory relief as it relates to the remanded claims. *Id.*

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13 IT IS THEREFORE ORDERED that the stay in case no. 3:10-cv-0204-LRH-VPC entered  
14 on July 7, 2010, is hereby LIFTED.

15 IT IS SO ORDERED.

16 DATED this 28th day of June, 2011.



17  
18 LARRY R. HICKS  
19 UNITED STATES DISTRICT JUDGE  
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